



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sanberg
Title: Human Immunosuppressive Protein
Docket No.: LBS-004
Filed: July 16, 2003
Examiner: Nancy S. Vogel

Serial No.: 10/621,061
Due Date: N/A
Group Art Unit: 1636

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information qualifies as prior art or is material as that term is defined in 37 C.F.R. §1.56(b).

(**XX**) In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application other than a continued application, within three months of the date of entry into the national stage of the above-identified application as set forth in §1.491, before the mailing date of a first Office Action on the merits of the above-identified application, no fee is required, or before the mailing of a first Office Action after the filing of a request for continued examination under §1.114.

() In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:

- ☐ Certification in accordance with §1.97(e) as set forth below; or
☐ The fee of \$180.00 as set forth in §1.17(p) is attached.

☐ In accordance with §1.97(d), this Information statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Therefore, included are: Certification in Accordance with §1.97(e); and the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(e), the certification must state either of the following:

☐ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ No item of information in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 (modified) are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____, filed _____, for which a claim for priority under 35 U.S.C. §120 has been made in the instant application.

☒ Copies of each of the references listed on the attached Form PTO-1449 (modified) are enclosed herewith, except for copies of U.S. patents.

Serial No. 10/621,061

Inventor: Sanberg

Filing Date 7/16/03

(XX) All listed references are in the English language.

Respectfully submitted,

Date: 10/25/05

A handwritten signature in black ink, appearing to read "Barbara J. Luther", with a stylized flourish at the end.

Barbara J. Luther
Registration No. 33,954

The Luther Law Firm
12198 E. Columbine Dr.
Scottsdale, AZ 85259
(480) 275-8302

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

| | |
|-----------------------------|----------------|
| Application Number | 10/621,061 |
| Filing Date | July 16, 2003 |
| First Named Inventor | Sanberg et al. |
| Group Art Unit | 1636 |
| Examiner Name | Nancy S. Vogel |

Sheet 1 of 4

Attorney Docket No: LBS-004

US PATENT DOCUMENTS

| Examiner Initial * | Cite No. * | USP Document Number | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|------------|---------------------|------------------|---|---|
| | | US-4,631,211 | 12/23/1986 | Houghton, Richard | |
| | | US-4,879,119 | 11/07/1989 | Konno, , et al. | |
| | | US-4,921,475 | 05/01/1990 | Sibalis, Dan | |
| | | US-4,925,673 | 05/15/1990 | Steiner, , et al. | |
| | | US-5,008,110 | 04/16/1991 | Benecke, , et al. | |
| | | US-5,010,175 | 04/23/1991 | Rutter, , et al. | |
| | | US-5,013,556 | 05/07/1991 | Woodle, , et al. | |
| | | US-5,087,240 | 02/11/1992 | Sibalis, Dan | |
| | | US-5,088,977 | 02/18/1992 | Sibalis, Dan | |
| | | US-5,163,899 | 11/17/1992 | Sibalis, Dan | |
| | | US-5,164,189 | 11/17/1992 | Farhadieh, , et al. | |
| | | US-5,254,346 | 10/19/1993 | Tucker, , et al. | |
| | | US-5,284,656 | 02/08/1994 | Platz, , et al. | |
| | | US-5,290,561 | 03/01/1994 | Farhadieh, , et al. | |
| | | US-5,336,168 | 08/09/1994 | Sibalis, Dan | |
| | | US-5,352,456 | 10/04/1994 | Fallon, , et al. | |
| | | US-5,407,713 | 04/18/1995 | Silfong, , et al. | |
| | | US-5,451,569 | 09/19/1995 | Wong, , et al. | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials * | Cite No. * | Foreign Document No | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ² |
|---------------------|------------|--|------------------|---|---|----------------|
| | | Country Code - Number - Kind Code (if known) | | | | |

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|---------------------|-----------------------|---|----------------|
| | | ALOISI, FRANCESCA , et al., "Microglia are more efficient than astrocytes in antigen processing and in Th1 but not Th2 cell activation", <u>J. Immunol.</u> 160, (1998), 4671-80 | |

EXAMINER**DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional) ² Applicant is to place a check mark here if English language Translation is attached

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number 10/621,061**Filing Date** July 16, 2003**First Named Inventor** Unknown**Group Art Unit** 1636**Examiner Name** Unknown

Sheet 2 of 4

Attorney Docket No: LBS-004

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|-----------------------|--------------------------|---|----------------|
| | | CWIRLA, STEVEN , et al., "Peptides on phage: A vast library of peptides for identifying ligands", <u>Proc. Natl. Acad. Sci.</u> 8, (1990),6378-82 | |
| | | IACOVITTI, LORRAINE , et al., "Expression of Tyrosine hydroxylase in newly differentiated neurons from a human cell line (hNT)", <u>Neuroreport</u> 8, (1997),1471-4 | |
| | | KLEPPNER, SOFIE , et al., "Transplanted human neurons derived from a teratocarcinoma cell line (NTera-2) mature, integrate, and survive for over 1 year in the nude mouse brain", <u>J. Compar. Neurol.</u> 357, (1995),618-32 | |
| | | KORDOWER, JEFFREY , et al., "Neuropathological evidence of graft survival and striatal reinnervation after transplantation of fetal mesencephalic tissue in a patient with Parkinson's Disease", <u>N Engl J Med</u> 332, (1995),1118-24 | |

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional) ² Applicant is to place a check mark here if English language Translation is attached

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number 10/621,061**Filing Date** July 16, 2003**First Named Inventor** Unknown**Group Art Unit** 1636**Examiner Name** Unknown

Sheet 3 of 4

Attorney Docket No: LBS-004

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|-----------------------|--------------------------|---|----------------|
| | | MASSA, PAUL T., "Specific suppression of major histocompatibility complex Class I and Class II genes in astrocytes by brain-enriched gangliosides", <u>J Exp Med</u> 178, (1993), 1357-63 | |
| | | NEEDEL, MICHAEL, et al., "Generation and screening of an oligonucleotide-encoded synthetic peptide library", <u>Proc Natl Acad Sci USA</u> 90, (1993), 10700-4 | |
| | | PLEASURE, S.J., et al., "NTera 2 cells: A human cell line which displays characteristics expected of a human committed neuronal progenitor cell", <u>J Neurosci Res</u> 35, (1993), 585-602 | |
| | | PLEASURE, SAMUEL, et al., "Pure, postmitotic, polarized human neurons derived from NTera 2 cells provide a system for expressing exogenous proteins in terminally differentiated neurons", <u>J Neurosci</u> 12, (1992), 1802-15 | |

EXAMINER**DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional) ² Applicant is to place a check mark here if English language Translation is attached

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

| | |
|-----------------------------|----------------|
| Application Number | 10/621,061 |
| Filing Date | July 16, 2003 |
| First Named Inventor | Sanberg et al. |
| Group Art Unit | 1636 |
| Examiner Name | Nancy S. Vogel |

Sheet 4 of 4

Attorney Docket No: LBS-004

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|-----------------------|-------------------------|---|----------------|
| | | SEGARS, JAMES , et al., "Retinoic acid induction of major histocompatibility complex Class I genes in NTera-2 embryonal carcinoma cells involves induction of NF-KB (p50-p65) and retinoic acid receptor B-retinoid X receptor B heterodimers", <u>Mol Cell Biol</u> 13, (1993),6157-69 | |
| | | VALENTINO, LEONARD , et al., "Shed tumor gangliosides and progression of human neuroblastoma", <u>Blood</u> 75, (1990),1564-67 | |

Filed: October 25, 2005

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional) ² Applicant is to place a check mark here if English language Translation is attached